

EPA-PNL-2255

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Kader/R10/USEPA/US
05/23/2012 01:47 PM

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Subject Anchorage Daily News: Pro-development luncheon turns into
rally against EPA

Coverage of the Sacketts' visit to Anchorage.

<http://www.adn.com/2012/05/22/2476039/pro-development-luncheon-turns.html>

Also, in case you didn't see it, the ADN ran an editorial on our assessment:

<http://www.adn.com/2012/05/22/2475809/our-view-bristol-bay-treasure.html>

And the NYTimes wrote an editorial about Spruce and 404:

<http://www.nytimes.com/2012/05/22/opinion/environmental-protection-agency-and-the-spruce-mine.html>

Pro-development luncheon turns into rally against EPA Idaho couple tells of their fight with the agency over property.

By LISA DEMER

(05/22/12 23:51:29)

A pro-development luncheon sponsored by Alaska business groups and featuring Gov. Sean Parnell among the speakers became a vehicle Tuesday to rally against the U.S. Environmental Protection Agency.

The event was built around the private property rights case of an Idaho couple, Michael and Chantell Sackett. They won a 9-0 decision before the U.S. Supreme Court in March on a technical point. The ruling gives them the right to challenge in court a 2007 EPA decision designating their property as wetlands and blocking them from building a home on it. They are trying to work out a settlement.

The Supreme Court didn't rule on the bigger question of whether the EPA has the right to regulate their property as wetlands.

"I think the EPA is the biggest bully" but other federal agencies overreach as well, Michael Sackett, who lost his excavation company during the long battle with the EPA, asserted before a big crowd at the Dena'ina Civic and Convention Center. The couple got a standing ovation.

The Resource Development Council luncheon was co-sponsored by groups representing Alaska loggers, the cruise industry, truckers, oil and gas interests -- and, among others, miners.

The push back against EPA comes just days after the agency released an assessment of how a big mine, such as the proposed Pebble project, would affect habitat for Bristol Bay's prized salmon runs. The Pebble Partnership and Iliamna Development Corp., a Pebble contractor and the for-profit arm of the tribal group Iliamna Natives Ltd., each filled several

tables. The Iliamna corporation brought the Sacketts and their wetlands advisers to Alaska for the lunch and to Newhalen on Sunday for a meeting with 100 villagers.

Under Parnell's direction, Alaska was the first state to file a legal brief supporting the couple, though others rallied around them later. They got free representation from the libertarian public interest law firm, Pacific Legal Foundation.

"In Alaska, we are pushing back," Parnell told the crowd. "We are for federalism. We are for freedom. We are for private property rights and we will continue to fight for those rights."

Some in the EPA have indicated the court ruling won't dramatically shift enforcement, Parnell said.

"Game on," he said.

At the Sunday meeting in Newhalen, villagers were told the EPA could use the federal Clean Water Act to block all sorts of development and even stop residents from dumping salmon carcasses in waterways during subsistence fishing, said Lisa Reimers, chief executive of the Iliamna Development Corp. "We could get fined if an EPA official came out there."

Clyde Trefon of Nondalton said the message from the Sacketts and their advisers worried him. "What do we do when we cut our fish and stuff? All our guts and stuff, we throw into the water."

The EPA isn't going to stop villagers from returning salmon carcasses to streams, Trish Rolfe, executive director of the environmental law firm Trustees for Alaska, said in an interview. "Extreme overreaction," she said. The agency generally is reasonable, she said.

The mining industry has been trying to drum up fears that bridges, roads, airports and the like will be affected if the EPA uses its powers to ban Pebble mining discharges into wetlands and waterways, said Brian Kraft, who owns fishing lodges in the Bristol Bay area and on Kodiak Island.

"It's almost laughable, it's disingenuous, it's not honest and it's not factual," he said.

The Sacketts plan to keep fighting the EPA. "Just because they're the federal government," Michael Sackett said, "doesn't mean they can come in and destroy people's lives."

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